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The Right to Freedom

The Bulletin of the Human Rights Centre "Viasna-96"



THE FORTUNES OF THE COUNTRY ARE IN OUR HANDS

On December 10, which is world-wide accepted as an International Human Rights Day, around one hundred representatives of the biggest Belarusan political parties and non-governmental organisations gathered near the presidential residency to hand over their statements, petitions, addresses and letters to Alexander Lukashenka. By this step people wanted to show their disagreement with the policy run by the Belarusan authorities, to

(To be continued on p.3)



On the pictures: December 10 near the Lukashenka's residency.

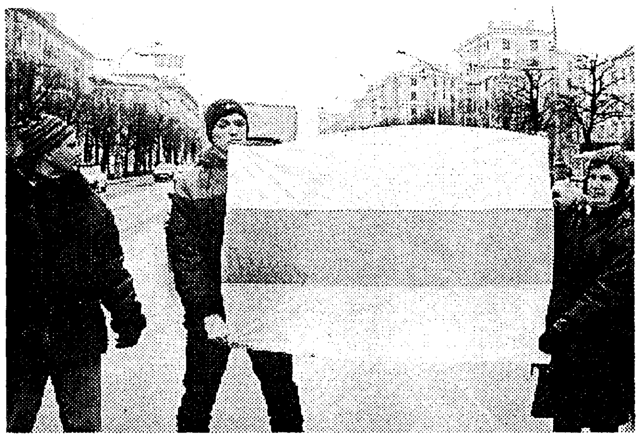
CHRONICLE

25 November, Tatsyana Prots'ka, chairwoman of the Belarusan Helsinki Committee, was called to the chief administration on locations and buildings attached to the Presidential Administration where she was informed that the leasing of the location on Karl Libknekht Street 68-1201, where the office of the HC was based, would be over in a month time. Obviously, Belarusan authorities are not content with the human rights activities of the Helsinki Committee, Tatsyana Prots'ka's participation in the OSCE summit in Istanbul and the conference "Human rights in Belarus. State and Prospects" held in Minsk by the Belarusan Helsinki Committee.

In November, criminal case instituted against Aleg Vouchak, chairman of the non-governmental organisation "Legal assistance to the population", was terminated. It was carried out by the Maskowski district prosecutor's office. Aleg Vouchak was accused of malicious hooliganism (art. 201 (part 2) of the Criminal Code of the Republic of Belarus) on July 21 after the meeting dedicated to the end of Alexander Lukashenka's original mandate. On 21 July Aleg Vouchak was detained after the meeting by the militiamen and taken to the Minsk Maskowski Administration of Internal Affairs where he was beaten unmercifully. Aleg Vouchak was taken from the Administration of Internal Affairs to the hospital by the ambulance. The investigation lasted four months. And for that period they have done no investigation actions or experiments at all. As the criminal case was terminated they stopped a consideration of complaint lodged by Aleg Vouchak against illegal actions of militiamen who had beaten him up. Aleg Vouchak is going to appeal against it in the state prosecutor's office.

(to be continued on p.p. 6-7)







To defend our children – to defend Belarus...

After sudden postponement due to Yeltsin's disease the signing of a unification treaty between Belarus and Russian Federation was scheduled on December 8, which was sudden information as well. It became known about this on the eve. Under undemocratic Belarusan legislation actions of protest of Belarusan opposition on that day could be only unprepared and spontaneous ones.

But nevertheless, Frantsysk Skaryna Avenue was barricaded on December 8 at 11.00 in the morning. It was an action of protest against unification treaty. Action participants stood on the road with slogans "Let's defend our children!" "Let's defend Belarus!" "No! To any unification with invaders!" Special militia troops pushed away unsatisfied people from the thoroughfare and made an alive chain along Frantsysk Skaryna Avenue. Vyachaslaw Siuchyk stated that the union state is a treachery of our country and the majority of the Belarusan population is against it. Then he called present people to gather at 17.00 and to show their protest again. Vyachaslaw Siuchyk called Western democratic governments to be guarantor of the Belarus's independence.

There gathered around 200 people near Yakub Kolas Square at 17.00. Frantsysk Skaryna Avenue was barricaded again. As a result the traffic was stopped. In some minutes special troops militiamen pushed away protesting people from the road. Two people were detained, dragged in a courtyard and there severely beaten up. Among first detained people was Zmitser Kaspyarovich, a minor. Militiamen beat out him a tooth. Zmitser Kaspyarovich was forced to go to hospital where he was put a diagnosis: brain concussion.

The action continued on the pavement along Frantsyk Skaryna Avenue. A group of young people burned a Russian flag to protest interference of the special militia troops. After that demonstrators made for Kastrychnitskaya Square with national white-red-white flags and anti-integration catchwords. Simultaneously with column buses with militiamen from special troops moved on the road. Near the National Circus the marchers made one more attempt to barricade the Avenue. People in civil immediately after that began detentions of the marchers. They refused to produce papers. When Valyantsin Stefanovich, observer of the Human Rights Centre "Viasna", demanded people in civil to produce their papers one of them responded: "Come here I will show you who I am! Be ready!" V.Stefanovich answered: "You are taught in a wrong way in the Militia Academy. You have to produce your papers when you are in civil!" They caught V.Stefanovich and were dragging him to the militia car (in spite of a badge of observer). But action participants helped Valyantsin Stefanovich and militiamen were forced to free him.

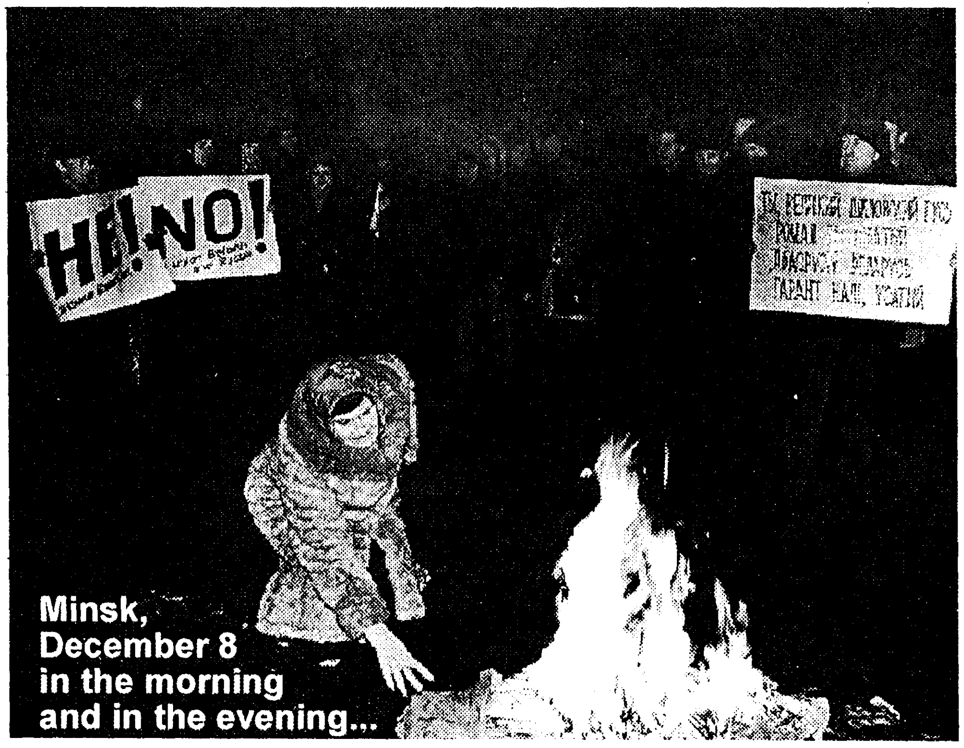
After the end of the action people in civil together with militiamen in uniform got to detentions. Mikalai Ramanaw, Vyachaslaw Siuchyk, Slavamir Adamovich, Uladzimir Alyaksandraw, Ignat Petruchuk, Iryna Gurava and Stsyapan Kul'chanka were detained. The detained spent a night in custody centre. Four more persons were detained and afterwards released. They were: Valery Shchukin, and minors Zmitser Vaskovich, Natallya Vasilevich, and Zmitser Kaspyarovich.

Valery Shchukin was detained at 19.00. Near the editorial board of the newspaper "Narodnaya Volya" three men in civil rushed to him, caught and began pushing him into the car. Valery Shchukin began putting up resistance and calling for help. Ten militiamen were passing nearby. They were soon to help people in civil but not Valery Shchukin. While detaining Valery Shchukin the militiamen beat up him severely. They put handcuffs on Valery Shchukin in the car while driving him to the Administration of Internal Affairs. In the Minsk Savetski district Administration of Internal Affairs Valery Shchukin was explained that he was detained merely to clear up his personality. A charge sheet about Valery Shchukin's detention militiamen drew up without asking the detainee any questions though they gave it to him to sign. V.Shchukin refused reading and signing the charge sheet drawn up with numerous violations and demanded a lawyer...

In the end they were forced to set Valery Shchukin free in two ours after detention. The trials over the detained people were conducted on December 9, 10, 13 and 14.

Our correspondent

P.S. *On December 8 actions of protest against signing unification treaty took place in Moscow near the Belarusan Embassy. Like in Minsk there were also arrests in Moscow too...*



Minsk, December 8 in the morning and in the evening...



SONS FOR FATHER

MAGILEW AUTHORITIES ARE PERSECUTING PROMINENT HUMAN RIGHTS ACTIVIST, CHAIRMAN OF THE MAGILEW HUMAN RIGHTS CENTRE SYARGEI ABADOWSKI BY PRESENTING FABRICATED CRIMINAL ACCUSATIONS TO HIS CHILDREN

Zmitser Abadowski, Syargei Abadowski's son, was first brought to criminal responsibility yet in 1996 under fabricated by investigation accusation. The last try of the law enforcement agencies pursues two ends – to make Zmitser Abadowski a recidivist and by this to defame his father and to mar a reputation of a prominent human rights activist.

Methods of the investigation that, it is clear, are breaking the law entirely confirm this version. Zmitser Abadowski was accused of theft this spring. The search was carried out a long time after "the crime". It was conducted only on 20 July – a critical for the authorities day. And what is remarkable here is the fact that this search was conducted in the flat of Zmitser Abadowski's father but not in his own. While conducting the search the militiamen didn't make it even appear that they were looking for stolen by Zmitser shoes. They openly looked for Syargei Abadowski's human rights papers.

The actions of militiamen become easily explained and clear if we mention that Syargei Abadowski's flat is simultaneously a juridical address of the Magilew human rights centre.

To make it more serious accusation Syargei Abadowski in July was charged with rape. The investigation is carried out with numerous breaches of the Criminal Code. So-called proofs are collected illegally. Things are taken away without drawing up a report of confiscation and without witnesses. Interrogations are conducted without a lawyer. During the procedure of identification "the victim" pointed at a different man not at Zmitser... The investigation papers that are actually transferred from the Magilew Central Administration of Internal Affairs to the regional Administration of Internal Affairs for further production have without exaggeration very interesting conclusion: "The fact of raping was not established, but it might took place..."

A new stage of investigation brought new breaches of the law. Under far-fetched reason Syargei Abadowski was refused to be a public defender during trial over his son. While Syargei Abadowski was fighting for his right to be a public defender during court hearings in the prosecutor's offices of different levels and his son Zmitser went on hunger-strike in custody centre the investigators prepared another accusation: again they accused him of theft but this time of three years remoteness. The accusation this time like in the first case is based on information as if someone saw Zmitser with stolen things in the company of the offender. Moreover the offender himself – leader of the criminal group that committed some tens of thefts – being in custody centre in some months after detention "suddenly" reminded that one of the thefts they committed in 1996 together with Zmitser Abadowski.

Besides investigator openly ignores the demands of a lawyer and rejects 12 out of 15 petitions put down by him though 11 petitions were satisfied by former investigator. After preliminary investigation the case was handed over to the prosecutor and Syargei Abadowski was not let to get acquainted with it. Even the lawyer that was invited by the investigator to the prosecutor's office (without Zmitser Abadowski's consent) insists on putting an end to the criminal persecutions against Zmitser Abadowski

(To be continued on p. 5)

THE FORTUNES OF THE COUNTRY ARE IN OUR HANDS

(continued from p.1)

demand to set free all the political prisoners in Belarus to preserve human rights, and to put an end to political persecutions in the country...

All the entries to the residency of the man who usurped power in Belarus were blocked by the ranks of militiamen. But nevertheless chairman of the Human Rights Centre "Viasna" Ales Byalatski and a staff member Uladzimir Padgol managed to break through militiamen cordon and to put the letter from "Viasna" in a post box meant for it.

After that leader of the United Civic Party Stanislaw Bagdankevich managed to register party's petition in the reception room of the presidential residency. It demanded immediate release of all the prisoners of conscious who is kept for years in custody centres and searching V.Ganchar and Yu.Zakharanka who disappeared under mysterious circumstances. Chairman of the Social Democratic Party "Narodnaya Gramada" and deputy chairman of the Belarusan Popular Front Vyachaslaw Siuchyk handed over about 40 petitions drawn up by Belarusan citizens who "are against prise rise, impoverishment of the people, human rights violations, monopolisation of mass media, breaches of the law, and trade in country's independence."

Then action participants gathered near Skaryna Avenue to mark the 51st anniversary of the Universal Human Rights Declaration...

That very day, on December 10, the wives of the political prisoners and those of Belarusan political parties and movements' leaders handed over their letter to the USA, the Great Britain and French Ambassadors. It is said in that letter: "Our relatives are disappeared, they are arrested and ill-treated, kept in prisons and tortured...Hundreds of best representatives of our country were forced to ask political asylum. Political freedoms are ruined, national, social and cultural values are humiliated, national historical symbols are banned, the Belarusan language is discredited. We don't want other Belarusan people would face the fates of our sons and daughters, our husbands, our brothers and sisters who are in favour of democracy in their country. We don't want the dictatorial regime would ruin our last hope – independence of the country. We demand A.Lukashenka's dismissal, free democratic elections under international supervision, and cancellation of the unification treaty signed by A.Lukashenka and B.Yeltsin in Moscow on December 8.

We hope the world public won't be indifferent to the Belarusan tragedy. That what happened in Moscow on December 8, 1999 reminds the events that took place in Munich in 1938..."

LETTER FROM "VIASNA" TO A.LUKASHENKA

We address to you on the day when the whole civilised world celebrates the anniversary of the Universal Declaration of Human Rights. Andrey Klimaw, Uladzimir Kudzinaw and Vasil Lyavonaw have already been kept behind bars for a long time. They are charged, to our mind, only for their adherence to the Constitution. They wanted Belarus to be a European country where the democratic values and human rights are the ground for prosperity and welfare.

Political leaders who are currently imprisoned didn't afraid of threats and blackmail, they didn't accept the Constitution "improved" in 1996, which gives you unlimited rights and powers. Including assignment and dismissal of the judges, taking to work deputies of the parliament. You can easily deprive a Belarusan citizen of his or her property. And even taking away husbands from their wives and fathers from children as you did with A.Klimaw, U.Kudzinaw and V.Lyavonaw's families is nothing for you.

Having signed with B.Yeltsin the unification treaty on December 8 you broke not only the Constitution of the Republic of Belarus but took away the Motherland from Belarusan people.

By this letter we would like to point out irregularity of your actions.

Change your mind! Think better of your future, of your fate!

Board of the Human Rights Centre "Viasna"

"ENTREPRENEOURS, AS A KLASS, ARE BEING WIPED OUT..."

To the Human Rights Centre "Viasna-96" from Krugavy Valery Kadashavich, deputy of the 13th Supreme Soviet

I'm writing to you in connection with the material, published in "Belarusskaya delovaya gazeta" (BDG – opposition newspaper). It dealt with criminal cases against Belarusan citizens who are in your opinion – political. Among them you stress "persecution for professional activities and view points," speaking about Staravoitaw and Lyavonaw's cases. You consider U.Kudzinaw and A.Klimaw my partners in business and fellow 13th Supreme Soviet deputies to be political prisoners. Though they are charged with economic crimes, I completely agree with you in this matter as the reason for these cases lies in Lukashenka's personal disapproval of public and political views of these people. Moreover, I believe that most of criminal cases against entrepreneurs and heads of enterprises in Belarus are really political. Lukashenka doesn't accept private business. While in Stalin's times "kulacks" and "nepmans" were eliminated, currently private enterprise is being eliminated though not so widely.

I'd like to add more facts. It goes without saying that you pay attention to those cases, which are widely spoken of at present. But Lukashenka started his campaign against unwelcome entrepreneurs not now. And my case as well as Pupeyka's case and others, is vivid example. I don't know whether you came across the material connected with the criminal case about the bank "Ewrapeysky" (European) liquidation and how it was interpreted. But all the events show that this case is one of the above-mentioned. I'd like to draw your attention to the following chain of events.

From 1992 my professional and entrepreneur activities were closely connected with structural changes in Belarus. It says about the formation of stock exchange market in Belarus (head of the Belarusan stock exchange - BSE), commercial (without participation of state-run enterprises) banks (head of board of Belarusan Stock Bank "Ewrapeysky"). From 1994 I took part in the establishment of check investment funds. Under my initiative BSE brokers' offices founded "First Republican Investment Fund" (FRIF) in 1993. I took an active part in its activities (A.Samankow as a head of the board). Nowadays everybody understands Lukashenka's unwillingness to promote private enterprise and shareholding. Before he told it openly, he in his own manner and by well-known means actually destroyed all the structures, which actually presented the process of privatisation and what is more important thousands of people stood up for privatisation. I mean check and investment funds and "FRIF" in the first turn. Maybe you don't know but at the beginning of 1995 more than 70 thousand of Belarusan citizens were "FRIF" share-holders. In February 1995, at the veteran's meeting A.Lukashenka suddenly declared: "There are swines in the funds, I'll teach them a lesson." Soon after that FRIF was checked by President's Administration and State Control Committee. They failed to find any violations. On March 30, 1995 there was the first check auction for investment funds. It was successful and FRIF brought more than 60 per cent of all shares. On the following day under Lukashenka's directive the auction was nullified without any explanation and commissions were dispatched to all funds to check them. All licenses were recalled.

Even at that time their boundless power proved that check privatisation would be buried and its leaders (FRIF and its heads) would be among the President's personal enemies. All these facts were often featured in press. I and A.Samankow knew the reasons and didn't cherish hopes for FRIF and for privatisation itself. The Supreme Soviet would be only to resist, and the elections were due to take place in spring 1995. That's why we nominated ourselves for elections to the Supreme Soviet. Our political view in 1994-1995 were closely connected with D.Bulakhaw who like V.Ganchar, at the end of 1994 was in opposition to Lukashenka. And this fact, obviously, "added oil to the fire" as we were people who financed "unwelcome" politicians and did business in the sphere, which he intended to close once and forever. The fact that the authorities didn't want to see me as a deputy and they intended not to let me be in the Supreme Soviet became clear after several articles in press and an anonymous programme on the radio. I was announced to be a "swindler" who cheated people out of their money from bank "Ewrapeysky." It goes without saying that "innocence presumption" means nothing for our "Father" and his assistants. In the middle of May, 1995 bank "Ewrapeysky" announced of its liquidation as it had gone bankrupt. The heads of the bank, in comparison with other Belarusan banks, which had stopped their activities, from the very first day of liquidation passed all documents to the National Bank Commission. The Commission (Volkaw as a head) was responsible for bank liquidation. The reason for the bankruptcy was the bankruptcy of the company I headed. The reason for the company's bankruptcy was the following. Ministry of Health Service had failed to pay for a large consignment of drugs. Even now, when so many years passed, I can't understand why the Ministry of Health Service had led us to bankruptcy, why "Belafarmatsiya", having money on its account, had paid all the money in August 1995 for shipments in February.

Coming back to the elections, I'd like to remind you that in spring I had won twice among 12 candidates but I failed to get literally 50 votes to become a deputy. Obviously radio and TV "had made their contribution." When in autumn, 1995 I said that I would nominate myself for elections to the Supreme Soviet and it was clear that in spite of the order to the local authorities to prevent it, I would be elected – the regime resorted to its favourable means. In October, 1995, two weeks before the elections, the prosecutor's office instituted criminal proceedings against me for the liquidation of bank "Ewrapeysky". I got to know about it from "Sovetskaya Belorussia" (official newspaper). It said on the front page that I had stolen 20 billion roubles and the prosecutor's office had instituted criminal proceedings against me. On that very day I applied to the prosecutor's office but they denied it and said that criminal proceedings had been instituted not against me but for the liquidation of the bank and that they had not given any materials to the newspapers and couldn't have done it as the investigation had not been started yet. How was material published in the newspaper on the day of the institution of criminal proceedings?.. Who initiated it? Because the creditors didn't apply to the prosecutor's office. All these questions were left unanswered. Like one more: why did they institute criminal proceedings six months after the bank liquidation when it had been tried by the Economic Court, when the order of debt liquidation had been installed, when the National Bank Commission had finished its examination and hadn't found any violations. If to recollect that the materials on FRIF leader's criminal activities were given to "Narodnaya Gazeta" by President's Administration (it became clear at the trial over A.Samankow lawsuit), there would be only one answer to them: it was initiated by the Security Council (later it was confirmed by competent people). There had been an order to gather compromise information against me and Samankow in order not to let us be deputies of the Supreme Soviet and finally to find

FROM THE EDITORIAL STAFF: we publish this letter without abridgements, with some style improvements. We give possibility to a person, whose activities in Belarus are estimated differently, to speak out. It's clear from his letter in which he gives a brief account of his work. The conclusion is obvious: nowadays he is not in prison only because he had gone abroad in time in comparison with others... The author of the letter highlights the idea that from the first days of his power "neo-communist" Lukashenka started his struggle against hated private entrepreneurs and he still continues it...

grounds for our future imprisonment. As I was later explained by people from the President's surrounding everything had been done within the framework of the criminal case and that is why it had been instituted. All further events proved it to be true.

Under the investigation all documents, seals, closed company's accounts, to which I had any connection, were confiscated. Among them the joint Belarusan-Polish ventures, which had no connections with bank "Ewrapeysky." They didn't give them back even when I had appealed to the Prosecutor General of the Republic of Belarus V.Kapitan with a deputy request. By the way his acts are significant...

The investigators interrogated and threatened the people who didn't work at the companies I headed but had a "fortune" to be my business partners or acquaintances. Everybody was asked to give evidence against Krugavy. They failed to prove embezzlement and decided to announce promissory notes to be securities (the law doesn't stipulates it), moreover to be false ones as there were not any goods transference. Obviously, a consignment of medical equipment (total value $ 1.4 million) is left unnoticed. They resorted to it with other people, mentioned in the articles of "Viasna" and "BDG" (Staravoytaw, Klimaw, Kudzinaw, Lyavonaw).

In the 13th Supreme Soviet I collaborated with opposition faction "Civic action" and signed the document about the President's impeachment. In comparison with many other deputies (75 people) I knew that I had signed myself a verdict. Everybody knows that all who signed the paper were directly pressured and threatened. I and Kudzinaw "were worked upon" under the slogan – we will send you and your relatives to prison. Uladzimir Kudzinaw decided to leave for the Ukraine and not to deny his signature. As for me, I realised that we had lost the battle after Sharetsky and Tsikhinya had signed the famous agreement, and I decided to withdraw my vote and stay in Belarus. Nowadays I understand that Uladzimir made a mistake when he came back and me – when I believed that my denial was sufficient. Being in the House of Representatives (parliament formed by A.Lukashenka) I had not accepted the policy towards business and market changes and I had been persona non-grata for Lukashenka. In the Supreme Soviet I could somehow influence the decisions, work out laws and persuade the colleagues in their necessity. As to the House of Representatives it was meaningless. That's why at the beginning of 1998 I resigned with the appropriate application. Of course, it could have meant to pull the trigger and to become defendant. It turned to be true...



At the end I'd like to point out that we appreciate a person either when he or she died or is in prison. I am hinting at my colleagues Klimaw and Kudzinaw who are in prison. I managed to go abroad. Shall I come back and find myself in prison to make you understand that deputy Krugavy's case is not economic but a political one?

Sincerely yours

Valery KRUGAVY

Warsaw, November 9, 1999.

P.S. As I in my letter touched upon the problem of entrepreneurs extinction as a class in Belarus, I'd like to express some more idea on it.

...KGB, prosecutors and obviously our "Father" see private ownership as "embezzlement." It led to the following: first entrepreneurs are found under such conditions that it's absolutely impossible to work without breaking laws, then they are put in prison – and it doesn't matter whether there are or there aren't any grounds. Boundless power towards entrepreneurs, independent journalists, human rights activists is the most massive in Belarus judging by its unlawfulness and succession. Unfortunately international human rights organisations don't realise it. For them a businessman and a political prisoner are different things. You, who live in this country and see it, I believe, should pay more attention to massive violations of human rights of a large group of people – from market vendors to bankers. Here we speak about constant bans on registration, out-of-court goods confiscation, forced shares purchase very cheaply (currency stock exchange, Belarusbank), restrictions on activities (on profits in cash) and many others. And also constant change of administrative and economic cases into criminal ones. Where can you observe institution of criminal proceedings against bankruptcy when creditors don't file?

Once I was against the adoption of the law on corruption. But it was adopted. To my mind it should have been sent for international examination. The law itself says that the private entrepreneurs' rights are insignificant, he or she can't do his own business, the company might be closed out-of-court only on the basis of operative data and etc. Every day of Belarusan life just adds something new to the list. Massive migration of middle-class people can be observed. "Large" business has declined, only "honest" one, it means presidential, is left. The system from laws to militiamen on the market is formed in such a way, that private business is put under such conditions that it's going to die itself or it will be buried. Moreover, rights of entrepreneurs are a subject to constant violation.

Sons for Father

(continued from p.3)

because the investigation didn't present the proofs of his client's guilty. The prosecutor's office was forced to finish investigating of the case.

Meanwhile Zmitser Abadowski has been kept behind bars already more than five months. All the guaranties, petitions and addresses to the court asking to change measures undertaken by the authorities against Zmitser to written undertaking not to flee from prosecution are not satisfied yet.

These aren't by far all the facts but their enumeration and vivid falsification and far-fetched accusations show that law enforcement agencies meant to pursue not the defendant himself but his father, Syargei Abadowski, who has been involved in human rights activities for many years and who was the most active member of the Central Election Commission during this summer presidential elections campaign. Such a conclusion can be proved by the fact that his elder sons Ivan and Zmitser were also criminally, administratively and politically prosecuted. And now they are planning to institute criminal proceedings against his youngest son Alexander. The investigator who heads Zmitser's case blabbed out about it.

I told in details about Syargei Abadowski story in order to apply to the Human Rights Centre "Viasna" on behalf of the Magilew human rights centre with request to assist in Zmitser Abadowski's proffecional defence.

Valadar TSURUPANAW
Chairman of the board

From the editorial staff: *"The Right to Freedom" will follow the further events around human rights activist Syargei Abadowski and his sons and will inform its readers about it. Let us remind that one of his sons, Ivan, after a long persecution for participation in opposition-organised actions asked for political asylum in Poland and was granted it...*

Events Facts Comments

(Beginning on p.1)

In November the Supreme Court of the Republic of Belarus disaffirmed the decision made by the Minsk Savetski district court regarding the fate of Yawgen Afnagel, 20 year old active member of the Young Front and a student studying history, for a lack of corpus delicti. Yawgen Afnagel was one of the declarants of the Freedom March on 17 October. Yawgen Afnagel wrote a statement about his refusal to take part in an organisation process and preparations for the Freedom March after the Minsk City Executive Committee banned conducting the rally and a meeting in the down town and transferred its conduction to the Bangalor Square. Judge Ina Sheyka paid no heed to this fact and sentenced him to fifteen days of detention in custody centre. During his imprisonment Yawgen Afnagel was once taken to the clinical hospital №9 because of a bad health state.



On 31 November, Norwegian Minister of Foreign Affairs Knut Volebeck – actual acting chairman of the OSCE, made a special statement with regard to Belarus in which he welcomed Mikhail Chygir's discharge from pre-trial detention and expressed hope that there would be an open and a fair trial over former Prime Minister.

On 31 November, Grodna City Executive Committee did not authorise conducting an action "The youth against AIDS" which was to be held by Malady Front. The City Executive Committee referred to the law on meetings, rallies, demonstrations and pickets and excused its refusal by saying that the claim for the action didn't correspond to the law. So, the Grodna authorities are confident that there is only one way of struggle with AIDS it is medicine.

On 1 December, former Prime Minister Mikhail Chygir's criminal case was transferred to the Minsk City court. A lawyer Syargei Lepesh is going to defend Mikhail Chygir together with Yulia Chygir – Mikhail Chygir's wife. The first court sitting is going to be held on 27 December.

In December, former director of the Belarusan Metallurgical works 62 year old Yuri Feaktystaw was presented final accusation – power abuse (art. 166 of the Criminal Code of the Republic of Belarus). Before it Yuri Feaktystaw passed through the out-patient treatment course in the Minsk Cardiology Institute where he got a disablement group.

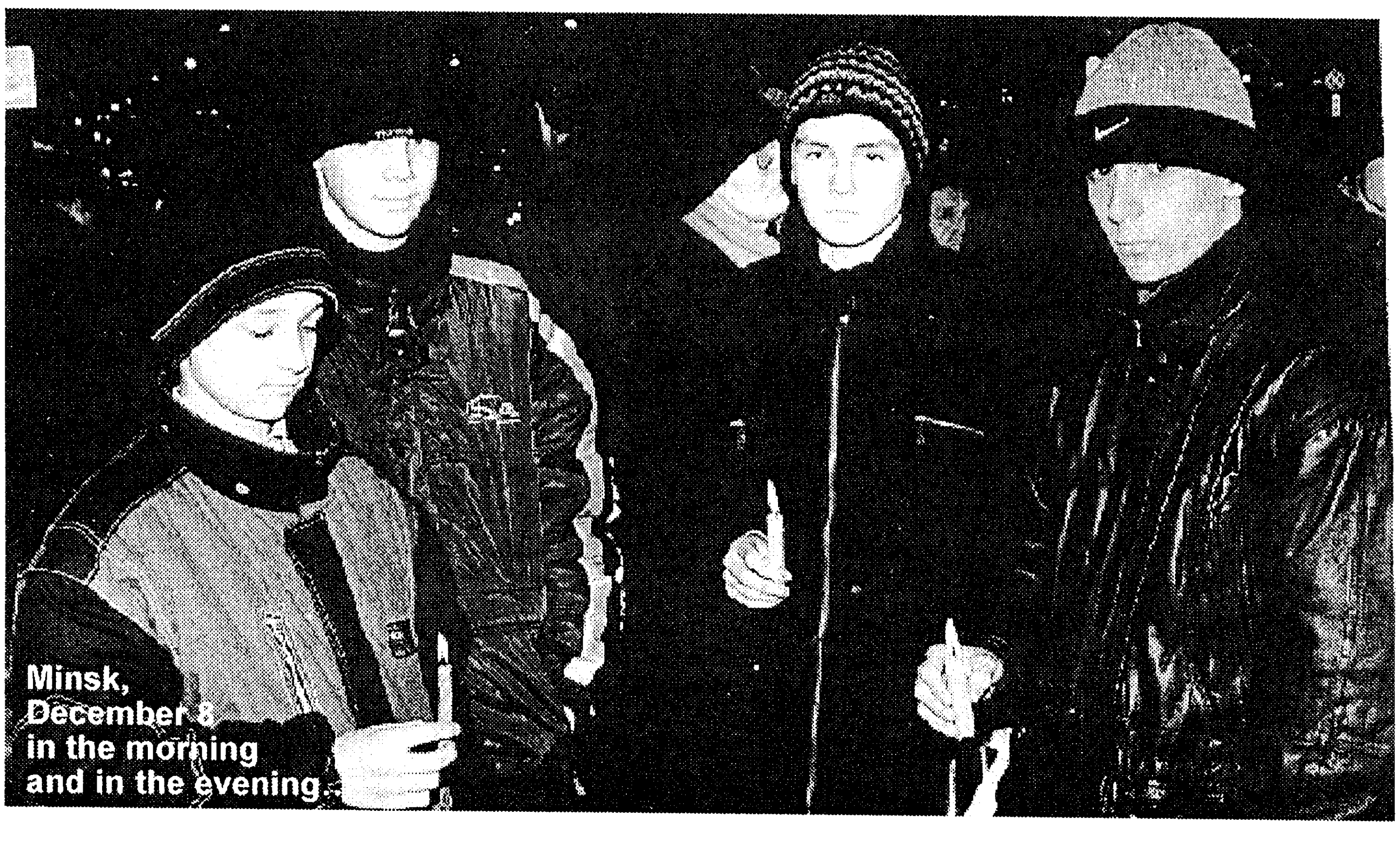
On 6 December in the evening Vadzim Saranchukow, a student, was detained by the militia in Grodna. He was detained for writing on the trolley anti-presidential slogans. V Saranchukow spent a night in the Grodna Leninski Administration of Internal Affairs. He was not allowed even to phone home. It is nothing but breach of the law. On December 8 V.Saranchukow stood trial. As a result he was fined one minimum wage.

On 8 December, Frantsysk Skaryna Avenue was barricaded at 11 a.m. It was an action of protest against unification treaty between Belarus and Russian Federation and formation of a Union State. That very day Frantsysk Skaryna Avenue was barricaded again at 17.00. In some minutes the militiamen pushed away unsatisfied people from the thoroughfare. Some young people burned a Russian flag to protest it. After that demonstrators made for Kastrychnitskaya Square with national white-red-white flags and anti-integration catchwords. Near the National Circus marchers made one more attempt to barricade the Avenue. After that people in civil began detentions. Among the detained were :

1. *Ramanaw Mikalai;*
2. *Siuchyk Vyachaslaw;*
3. *Adamovich Slavamir;*
4. *Alyaksandraw Uladzimir;*
5. *Petruchuk Ignat;*
6. *Gurava Iryna;*
7. *Kul'chanka Stsyapan.*

Four more persons were detained and afterwards released. They were:

1. *Shchukin Valery;*
2. *Vaskovich Zmitser;*
3. *Vasilevich Natallya;*
4. *Kaspyarovich Zmitser.*



Minsk, December 8 in the morning and in the evening.

On 9 December, in the Minsk Savetski district court trials over the detained people on December 8 began. Right before the trials the militiaman tried to drive out public defenders and observers representing the Human Rights Centre "Viasna" from the court room. Barys Gyunter demanded the judges Ina Sheyka and Ruslan Kazadaew to stop illegal actions of militiaman and asked the latter to produce papers and introduce himself. As a result representatives of "Viasna" were allowed to be present during trials. When the judge Ina Sheyka began the court process in the Russian language V.Siuchyk de-

manded she to speak the Belarusan language. The judge stated: "I don't want to speak this language and I'm not going to do it." A militia lieutenant-colonel added: "This countryside language shouldn't be spoken there where all people speak the Russian." Barys Gyunter reminded the judges that according to the law one who insults the state language might be penalised and brought to the administrative responsibility. This stipulates a fine from 5 to 10 minimum wages.

On 10 December, a group of Belarusan citizens decided to hand over their petitions, letters and demands to Alexander Lukashenka. It was planned to do at 16.00 in the evening. All the entries to the presidential administration were blocked by some lines of militiamen. They didn't allow people to come up to the building. A.Byalatski, chairman of the Human Rights Centre "Viasna" and a staff member Uladzimir Padgol broke through militia cordons and put the letter from "Viasna" in the post box designed for such purposes. S.Bagdankevich and M.Statkevich managed to do the same but a little bit later.

On 10, 13 and 14 December, people detained on December 8 for protesting the signing of unification treaty stood trials. The following court verdicts were brought in the Minsk Savetski district court:

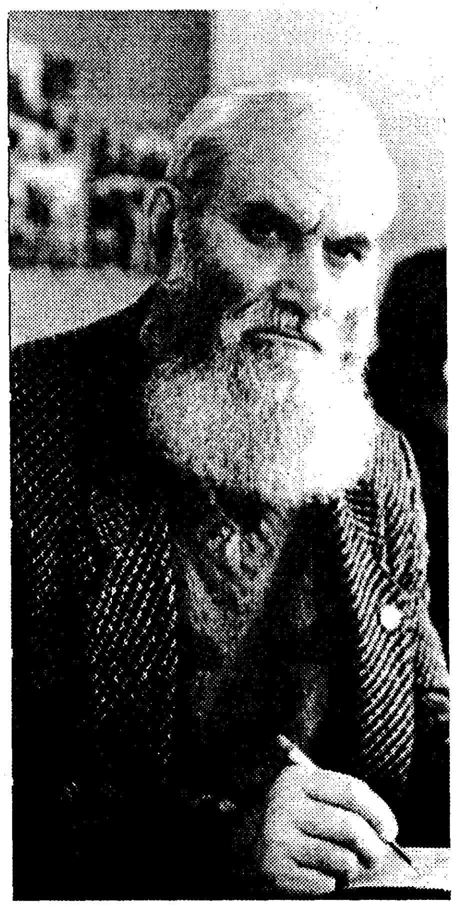
1. *Ramanaw Mikalai* – fine 29 million roubles;
2. *Siuchyk Vyachaslaw* – fine 217 million roubles ($300);
3. *Adamovich Slavamir.* The trial was postponed due to mistakes in his charge sheet. S.Adamovich was incriminated art.167.1 (part 2) – repeated participation in the unauthorised meetings, rallies and pickets though it was his first detention in this year.
4. *Alyaksandaraw Uladzimir* – warning;
5. *Petruchuk Ignat* – warning;
6. *Gurava Iryna* – warning;
7. *Kul'chanka Stsypan* – fine 217 million roubles.

Militiamen who were called witnesses gave false evidences. They said that people went on the road and by this interfered with traffic (but in reality the column of people went on sidewalk). But in spite of that the judge pleaded the detained people guilty.

Valery Shchukin – honorable member of the Human Rights Centre "Viasna"

Valery Shchukin actively participates in the trials when the authorities try to use the court as a repression tool against opposition members and those who have different view points. Valery Alyakseevich Shchukin is in favour of democratic principles of open society in the mass media.

V.Shchukin is a deputy of the 13th Supreme Soviet of the Republic of Belarus. He is a secretary of the Supreme Soviet commission on national security, defence and struggle against criminality. As an active participant of the opposition-organised actions Valery Shchukin is permanently subjected to repressions from the authorities part that are eager to intimidate him and interfere with his human rights activities.



I.The administrative trials over Valery Shchukin:

1. 13.05.1997 – the Minsk Central district court (judge A.Bragin) – a fine 22.5 million roubles ($847);
2. 30.05.1997 – the Minsk Kastrychnitski district court (judge Ryshtowskaya) – a fine 1 million roubles ($38);
3. 14.07.1997 – the Minsk Central district court (judge T.Zlobich) – a fine 23 million roubles ($852);
4. 24.09.1997 – the Minsk Leninski district court (judge T.Zhulkowskaya) – a fine 30 million roubles ($1092);
5. 22.12.1997 – the Minsk Savetski district court (judge L.Tamanaw) – 400.000 roubles ($13);
6. 23.01.1998 – the Minsk Central district court (judge A.Barysionak) – a fine 1.5 million roubles ($49);
7. 03.07.1998 – the Minsk Maskowski district court (judge Zh.Lyavitskaya) – a fine 5 million roubles ($138);
8. 29.01.1991 – the Minsk Central district court (judge A.Barysionak) – a fine 75 million roubles ($701).

Up to December 1, 1999 they imposed a total fine 158.4 million roubles ($3.725).

Including:

- five trials in 1997 and a total fine 76.9 million roubles ($2842);
- two trials in 1998 and a total fine 6.5 million roubles ($182);
- one trial in 1999 and a fine 75 million roubles ($701).

II.Administrative detentions:

1. 29.12.1997 – the Minsk Central district court (judge A.Barysionak) – 10 days;
2. 15.06.1998 – the Minsk Central district court (judge A.Barysionak) – 10 days;
3. 07.12.1998 – the Minsk Partyzanski district court (judge N.Trubnikaw) – 15 days;
4. 11.01.1999 – the Minsk Savetski district court (judge A.Gancharyk) – 10 days;
5. 16.02.1999 – the Minsk Central district court (judge A.Barysionak) – 3 days;
6. 05.05.1999 – the Minsk Savetski district court (judge I.Sheyka) – 5 days;
7. 22.07.1999 – the Minsk Leninski district court (judge D.Zhdanok) – 15 days (just 8 of them were served).

Totally Valery Shchukin spent behind bars 61 days and nights up to December 1, 1999.

Including:

- one arrest in 1997 – 10 days;
- two arrests in 1998 – 25 day;
- four arrests in 1999 – 33 days.

III. Criminal detentions:

1. 19.10.1999 – the Minsk prosecutor's office (deputy prosecutor L.Litvinyuk) – 2 months (61 days in detention).

In fact he spent 13 days in detention up to December 1, 1999.

Total term of declared arrests is 129 days, in fact illegal term of imprisonment is 74 days and nights.

IV.Official prosecutor's warnings:

1. 18.03.1999 – Republic of Belarus' prosecutor's office (prosecutor A.Lazuta) – for throwing light in the press on tortures in the Belarusan charge offices.

V.Total number of persecutions:

For the last three years Valery Shchukin has been subjected to administrative, prosecutor's and criminal persecutions 17 times for human rights, political, professional (he is a journalist) and parliamentarian activities.

Including:

- six times in 1997;
- four times in 1998;
- seven times in 1999.

Without Supreme Soviet sanctions, breaking Valery Shchukin's deputy's immunity, without writs they caught Valery Shchukin in the streets, detained him in his working place, got him from the bed, violently took him to the charge offices, interrogated and drew up charge sheets (including nights)... 25 times from 1997 to 1999.

They subjected Valery Shchukin to ill-treatment 5 times (in the Central, Leninski and Savetski charge offices).

They stole Valery Shchukin up from the hospital while he was there on out-patient treatment. It happened on 31 December 1998. A group of militiamen stole Valery Shchukin up from clinical hospital №9 right before the New Year and literally dragged him to the judge to charge him and to put behind bars before the New Year.

The board of the Human Rights Centre "Viasna" considers Valery Alyakseevich Shchukin its honourable staff member.

Ales Byalatski

Only Twenty Four Hours,

Or Report from the Charge Office

A short dirty man was brought to the militia station. Immediately he started knocking at the door and demanding something. "Vasilewsky, what do you want?" – a militiaman on duty asks. "I'd like to go to the lavatory! Chief, let me go!" – the man shouts. The militiaman takes him to the lavatory. Fifteen minutes later one could hear another knock at the door. "Chief, open!" – the man asks. "Vasilewsky, stop showing off – the militiaman replies." "Take me to major Bely!" – Vasilewsky demands. "He retired 2 years ago, — the militiaman answers, — if you continue making noise, I'll do the «swallow» (a kind of punishment)!" Vasilewsky is so afraid of it that he calms down at once.

Here it is a drunk guy. Some time later he regained consciousness and starts «pretending». "Chief, I can't stand the stomach-ache. I've got ulcer." "You are pretending, — the militiaman warns him – don't cry. I'll call the ambulance and they'll give you a pill..."

The ambulance arrives. "Lie down," — doctor says. The guy laid slowly. He lifts the jacked – his abdomen is entirely covered with tattoos. "It aches badly" — the guy complains. "What a smell comes from you, — doctor notices, — you'd better stop drinking! When I drink I also have a headache," — doctor smiles. She examines his belly. "What a picture, — the militiaman on duty, who is looking at his abdomen, says. – Let me see what is up." "Later," — he answers. "Give him an injection," — the militiaman asks the doctor. "I'm not entitled to do it, — she answers. – We can't relieve stomach-ache." The guy is all ears: they are talking about his fate. "I wouldn't take him, — the doctor talks to the nurse, — but I don't want to bear responsibility in case something happens to him. Thus we have to take him..." The militiaman on duty is definitely surprised. He couldn't expect it. The guy keeps on «pretending» — he is slowly getting up from the bench. He is accompanied by two young militiamen in leather jackets and knitted caps.

"When you arrive, — the militiaman on duty orders, — have his hand tied to the bed and his leg – to the radiator." And gives to them two pairs of handcuffs. This guy must be charged under criminal article.

A short dark-haired captain comes up to me from time to time and asks:



"Isn't it a mad house?" "Why not, — I reply, — it's your job."

Sometimes militia shifts come to hand in arms or vice versa. They are really in great quantities. It's snowing outside. The militiamen have their hats and boots covered with snow.

I was taken to the head of the department. He is a short, plump man with moustache. He sits at the table on which there is a little red-green flag (Lukashenka introduced after 1994 referendum). There is a glossy sparkling Lukashenka's portrait on the wall. A yellow light is reflecting from his bald spot. The Chief is dressed in civil. He examines with a great curiosity and sings the papers. "Have you got any questions?" – he asks. "I've got a request, — I answer, — write me out a subpoena and let me go." "And you will hide from us again, won't you, — he smiles, — no, I can't." "Have I ever hidden from you? Have you ever summoned me to the court?" — I ask. The head looks at me suspiciously and I'm taken to the cell again.

The militiamen on duty are briskly discussing something. "Dead body machine doesn't want to take him, — the chief lieutenant is indignant, — they say that parasites are all over him. They will not take him until you disinfect him. But he has been in the house for about 3 hours." I understood that they were talking about a dead homeless. Finely the militiaman on duty called two young militiamen and sent them to the sanitary-epidemic service for dikhlafos (insecticide against the parasites).

Meanwhile a young militiaman brought a well-built guy to the station. The guy sat next to me and militiaman passed the report to the militiaman on duty. First he refused to take it. "What for this report? I'll just register him." The militiaman was persistent but then gave up. "What was the reason for your detention?" — chief-lieutenant asked. "I don't know, — the guy answered. – Maybe it's a private matter. I'm a fifth year student and he is a student too. He has got a family and lives in our hostel. In the morning I with my friend had 10 bottles of beer as yesterday there was Student's Day. Hangover, but it was long time ago. Now I am not drunk. But he together with his brother took me to the gym and started beating me up. I didn't resist though if I had, they both would have suffered. He called the militia and took me here." "Well student, — chief-lieutenant came up to him. — I've learned to distinguish between the drunk and sober for this time. You definitely don't look like a drunk..." "I am not drunk, colonel," — the student backed him. "I'm not a colonel," — the militiaman on duty felt too shy. "You will, — the student said, — and I'm a member of voluntary militia patrol of your district, these are the documents," — the student took a document out of the pocket.

The door opened and a dark-haired captain came in. "The sanitary-epidemic service is closed, we failed to find disinfecting devices, — he complained, — I'll go home, I think I have it." "Drop at the city department and take the bag," – the chief-lieutenant suggested. The captain left.

Over the walkie-talkie it was said that in Yakub Kolas Square there was a clash between two groups. The militiaman on duty sent there a car. Soon after that a young drunk guy was brought. "What brought you here?" – the militiaman on duty asked. "It's a Student's Day..." – he answered. "It was yesterday,"—the militiaman corrected. "Yes it was," – the student agreed. "What year are you?" – the militiaman started writing in his book. "I am a fifth year student," — the guy said with difficulties. "You've got a temporal residence permission, haven't you?" – the militiaman kept on asking questioned. "Yes, I have, but I live in Pinsk. My surname is Palishchuk."

The guy sat, reeling. Gradually it began to dawn on him where he was. He started crying and asking: "Fathers, dear, let me go! " "Sit here till you sober! – the militiaman told him, — if I let you go, you'll fall into something and get frozen." The guy was persistent: "I will mend your computer monitor. Just one day and it will be OK. Or give me any other work, only let me go!" The militiamen kept on writing without paying attention to him.

(To be continued)

(Continuation. Beginning in № 22)

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